



11-23-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,662	03/02/2004	David N. Krag	341148001US7

25096
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

CONFIRMATION NO. 2720

FORMALITIES LETTER



OC000000012742863

Date Mailed: 05/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/24/2004 GWORDDF1 00000068 10791662

FILED UNDER 37 CFR 1.53(b)

02 FC:2001	395.00 OP
03 FC:2201	88.00 OP
04 FC:2051	65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$697 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1147** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$697**
 - **\$301** for **7** independent claims over 3.
 - **\$396** for **44** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Express Mail No. EV488420709US

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/791,662-Conf. #2720	
	Filing Date	March 2, 2004	
	First Named Inventor	David N. Krag	
	Art Unit	3736	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	20	Attorney Docket Number	341148001US7

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Declaration Application Data Sheet Part 2 Copy of Notice Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	PERKINS COIE LLP		
Signature			
Printed name	Paul T. Parker		
Date	November 22, 2004	Reg. No.	38,264



Express Mail No. EV488420709US

PTO/SB/17 (10-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
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FEE TRANSMITTAL for FY 2005 <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/791,662-Conf. #2720
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	March 2, 2004
1,313.00		First Named Inventor	David N. Krag
		Examiner Name	Not Yet Assigned
		Art Unit	3736
		Attorney Docket No.	341148001US7
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input type="checkbox"/> Deposit Account: Deposit Account Number: 50-0665 Deposit Account Name: Perkins Coie LLP		Large Entity Small Entity	
The Director is authorized to: (check all that apply)		Fee Fee Fee Fee Code (\$) Code (\$) Description Fee Paid	
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath 65.00	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification	
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for ex parte reexamination	
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
Fee Fee Fee Fee		1251 110 2251 55 Extension for reply within first month	
Code (\$) Code (\$) Description Fee Paid		1252 430 2252 215 Extension for reply within second month	
1001 790 2001 395 Utility filing fee 395.00		1253 980 2253 490 Extension for reply within third month	
1002 350 2002 175 Design filing fee		1254 1,530 2254 765 Extension for reply within fourth month 765.00	
1003 550 2003 275 Plant filing fee		1255 2,080 2255 1,040 Extension for reply within fifth month	
1004 790 2004 395 Reissue filing fee		1401 340 2401 170 Notice of Appeal	
1005 160 2005 80 Provisional filing fee		1402 340 2402 170 Filing a brief in support of an appeal	
SUBTOTAL (1) (\$) 395.00		1403 300 2403 150 Request for oral hearing	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Total Claims 13 -20** = 0 x 0.00 = 0.00		1452 110 2452 55 Petition to revive - unavoidable	
Independent Claims 5 -3** = 2 x 44.00 = 88.00		1453 1,370 2453 685 Petition to revive - unintentional	
Multiple Dependent		1501 1,370 2501 685 Utility issue fee (or reissue)	
Large Entity Small Entity		1502 490 2502 245 Design issue fee	
Fee Fee Fee Fee		1503 660 2503 330 Plant issue fee	
Code (\$) Code (\$) Description Fee Paid		1460 130 1460 130 Petitions to the Commissioner	
1202 18 2202 9 Claims in excess of 20		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
1201 88 2201 44 Independent claims in excess of 3		1806 180 1806 180 Submission of Information Disclosure Stmt	
1203 300 2203 150 Multiple dependent claim, if not paid		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
1204 88 2204 44 ** Reissue independent claims over original patent		1809 790 2809 395 Filing a submission after final rejection (37 CFR 1.129(a))	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1810 790 2810 395 For each additional invention to be examined (37CFR 1.129(b))	
SUBTOTAL (2) (\$) 88.00		1801 790 2801 395 Request for Continued Examination (RCE)	
**or number previously paid, if greater; For Reissues, see above		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify)	
		*Reduced by Basic Filing Fee Paid	
		SUBTOTAL (3) (\$) 830.00	
SUBMITTED BY		(Complete if applicable)	
Name (Print/Type) Paul T. Parker		Registration No. 38,264	
Signature <i>Paul Parker</i>		Telephone (206) 359-8000	
		Date November 22, 2004	



Express Mail No. EV488420709US

Docket No.: 341148001US7
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David N. Krag

Application No.: 10/791,662

Confirmation No.: 2720

Filed: March 2, 2004

Art Unit: 3736

For: SYSTEM AND METHOD FOR
BRACKETING AND REMOVING TISSUE

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed May 21, 2004, Applicant respectfully submits a Declaration, an Application Data Sheet, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), a Preliminary Amendment, a Petition for an Extension of Time, and Part 2 Copy of Notice.

Our check in the amount of \$1,313.00 covering the fee set forth in 37 CFR 1.16(e), 1.16(a), 1.16(b), and 1.17(a)(4) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit

Application No.: 10/791,662

Docket No.: 341148001US7

Account No. 50-0665, under Order No. 341148001US7.

Dated: November 22, 2004

Respectfully submitted,

By Paul T. Parker
Paul T. Parker

Registration No.: 38,264
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant

Application No. (if known):

Attorney Docket No.: 341148001US7

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV488420709US in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on November 22, 2004
Date



Signature

Doug Gow

Typed or printed name of person signing Certificate

Registration Number, if applicable

(206) 359-6796
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet